defendant secured for himself the benefit of a contract which should have inured to the firm; and he should account therefor. *Miller* v. *O'Boyle*, 89 Fed. 140 (Circ. Ct., W. D. Pa.); *Williamson* v. *Monroe*, 101 Fed. 322 (Circ. Ct., W. D. Ark.); *Holmes* v. *Darling*, 213 Mass. 303, 100 N. E. 611. *Cf.* as to joint adventures, *May* v. *Hettrick Bros. Co.*, 181 App. Div. 3, 167 N. Y. Supp. 966; *Stem* v. *Warren*, 185 App. Div. 823, 174 N. Y. Supp. 30. See *Mitchell* v. *Reed*, *supra*, at 126, 137; LINDLEY, *op. cit.*, 366. The account should include the good will of the business. *Cf. Donleavey* v. *Johnston*, 24 Cal. App. 319, 141 Pac. 229. It should include the difference between the price actually paid for the partnership chattels, and their fair value; for a partner may not purchase firm personalty without making a full disclosure. *Jones* v. *Dexter*, 130 Mass. 380. Moreover, since a full disclosure was not made, the adjustment of accounts between the partners cannot be considered final. *Krebs* v. *Blankenship*, 73 W. Va. 539, 80 S. E. 948. *Cf. Stem* v. *Warren*, *supra*; *Jones* v. *Waring*, 200 Pac. 908 (Oreg.). So the recovery should include a share of the defendant's profits. *Filbrun* v. *Ivers*, 92 Mo. 388, 4 S. W. 674. But see 33 HARV. L. REV. 1070, 1075.

PUBLIC SERVICE COMPANIES — RIGHTS AND DUTIES — DISCRIMINATION BY TERMINAL COMPANY BETWEEN TRANSFER COMPANIES. — A railroad commission, seeking mandamus to compel the performance of its order, alleged: that the defendant terminal company checked baggage on claim checks issued by one transfer company, but required identification of baggage by passengers employing other companies; that the commission had found this practice an unreasonable discrimination against the latter passengers; that it had ordered the defendant to issue triplicate checks to all licensed transfer agents in the city, and to check baggage on receipt of stubs. It did not allege that the defendant had corporate power to instal the required checking system. *Held*, that the writ be quashed. *State* v. *Jacksonville Terminal Co.*, 89 So. 641 (Fla.).

It would seem that power to instal the checking system might fairly be implied from the defendant's charter as a terminal company. *Jackson Lumber Co.* v. *Trammell*, 199 Ala. 536, 74 So. 469; *Jacksonville, etc. Ry. Co.* v. *Hooper*, 160 U. S. 514. See 1 MORAWETZ, PRIVATE CORPORATIONS, 2 ed., §§ 320, 362, 364, 365, 367a. The defendant would probably, by reason of its economic situation, be subject even at common law to the duties of a business "affected with a public interest." *Cf. Watts* v. *Boston & Lowell R. R. Corp.*, 106 Mass. 466; *Inter Ocean Publishing Co.* v. *Associated Press*, 184 Ill. 438, 56 N. E. 822. Certainly the legislature may, as it has done, subject it to such duties, including the duty not to discriminate unfairly among those whom it serves. See 1920 FLA. REV. GEN. STAT., §§ 4616, 4617, 4618; *State* v. *Jacksonville Terminal Co.*, 41 Fla. 377, 27 So. 225. It may be argued that a *bona fide* refusal to exchange its receipts for the receipts of any transfer company except those it has reason to trust should not be regarded as unfair discrimination; that it is an incidental discrimination, designed to improve service, and is no more objectionable than the practice of excluding certain hack companies, for instance, from the defendant's premises. *Cf. Clisbie* v. *Chicago, R. I. & G. Ry. Co.*, 230 S. W. 235 (Tex. Civ. App.); *Thompson's Express & Storage Co.* v. *Mount*, 111 Atl. 173 (N. J.); *Missouri Pacific R. R. Co.* v. *Kohler*, 107 Kan. 673, 193 Pac. 323. *Cf.* 12 HARV. L. REV. 280. Probably, however, the purpose of the discrimination is less protection than monopoly. The commission found it unfair. The court seems to have denied this finding the consideration to which it is entitled. See 1920 FLA. REV. GEN. STAT., § 4618; *State* v. *Florida East Coast Ry. Co.*, 67 Fla. 83, 64 So. 443.

PUBLIC SERVICE COMPANIES — RIGHTS AND DUTIES — STRIKE AS AN EXCUSE FOR FAILURE TO FURNISH SERVICES. — A statute imposes upon electric